

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



**FISCAL NOTE**

**HB 1094 – SB 1071**

April 5, 2017

**SUMMARY OF BILL:** Authorizes the parking of vehicles on rights-of-way if the vehicle does not restrict ingress and egress to abutting property.

**ESTIMATED FISCAL IMPACT:**

**Other Fiscal Impact – Passage of this legislation could jeopardize Federal Highway Administration (FHA) federal funding. The extent and timing of any federal funds being withheld cannot be determined because any such impact is dependent upon action of the FHA. In FY17-18 the Department of Transportation is budgeted to receive \$899,697,000 in FHA funds.**

Assumptions:

- Any decrease in revenue or expenditures related to parking related citations will be not significant.
- The Department of Safety confirms the provisions of the legislation will not have a fiscal impact on the Department.
- The Department of Transportation (TDOT) confirms the legislation authorizes the parking of vehicles on a highway's right of way if the vehicle does not restrict ingress and egress to abutting property.
- TDOT reports any highway facility that has been funded under United State Code, Title 23 must be devoted exclusively to the purposes of that facility and the facility must be preserved free of all other public or private alternative uses. TDOT further reports that the Department would no longer be able to certify to the Federal Highway Administration (FHWA) that the rights of way would meet the federal requirement.
- Based on information provided by TDOT, \$899,697,000 in FHWA federal funds are currently budgeted in the Highway Fund within the FY17-18 budget. To the extent any non-compliance results in FHWA federal funding being withheld, the decrease in federal funds allocated to the Highway Fund could be all, or any portion, of the \$899,697,000. To the extent no FHWA federal funding is withheld, the impact to the TDOT Highway Fund is considered not significant.

**CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in dark ink that reads "Krista M. Lee". The signature is written in a cursive, flowing style.

Krista M. Lee, Executive Director

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